IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 14939 of 1998**

Between:

1 Kolluru Venkateswara Rao, s/o Venkataratnam,
r/o Koyyalagudem , West Godavari Dist.
2 K.V.V.S Sesha Rao, S/o Venkateswara Rao,
r/o Koyyalagudem , West Godavi District.
3 Kolluru Varalakshmi, W/o K.V.V.S Sesha Rao,
r/o Koyyalagudem , West Godavari District.

**..... PETITIONERS**

AND

1 Tobacco Board, rep. by Vice Chairman and Managing
Director, G.T Road , Guntur.
2 The Auction Superintendent, Tobacco Board,
Auction Platform , Koyyalagudem , West Godavari District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order one in the nature of writ of Mandamus , under Art.226 of the Constitution , declaring the action of the respondents in not permitting the petitioners to sell the tobacco on the auction platform of Koyyalagudem in W.G Dist. though they have raised the tobacco after following the procedure, as arbitrary, capricious and unconstitutional and direct the respondents to permit the petitioners to sell the tobacco raised by them at the second respondent platform with all consequential benefits including the granting of damages for the loss incurred by them consequent to the illegal action of the respondents due to change of price of the tobacco.

**Counsel for the Petitioners: MR.RAMA RAO GHANTA**

**Counsel for the Respondents: MR.S.VENKATA REDDY /Mr.S.SRINIVAS REDDY**

**The Court made the following:**

**ORDER:**

Learned counsel for the petitioners submits that the cause in the writ petition does not survive for adjudication and the same has become infructuous.

Recording the submission of the learned counsel for petitioner, the writ petition is dismissed as infructuous. No costs.

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**N.V.RAMANA, J**

Dated March 16, 2005.

TVK

To

1 The Vice Chairman and Managing
Director, Tobacco Board, G.T Road , Guntur.
2 The Auction Superintendent, Tobacco Board,
Auction Platform , Koyyalagudem , West Godavari District.

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